



Rhode Island State Labor Relations Board

Building 73
1511 Pontiac Avenue
Cranston, Rhode Island 02920-4407

CLOSED MINUTES BOARD MEETING

TIME: 9:00 a.m.
DATE: Tuesday, October 14, 2003
PLACE: 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter J. Lanni, Chairman
Frank J. Montanaro
Joseph V. Mulvey
John R. Capobianco
Ellen L. Jordan
Elizabeth S. Dolan

BOARD MEMBER ABSENT: Gerald S. Goldstein

OTHERS PRESENT: Joan N. Brousseau, Administrator
Robyn H. Golden, Investigator
Linda Esposito, Secretary
Margaret Hogan, Esquire

Chairman Lanni called the meeting to order in Open Session at 9:20 a.m.

Joseph Mulvey made a Motion for the Board to go into Closed Session for the purpose of reviewing Unfair Labor Practice Charges, Cases Concluded, and Miscellaneous Matters, and the minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. It was seconded by Ellen Jordan, and it was unanimously

VOTED: for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 9:50 a.m.

All members present reviewed the closed minutes of the September 23, 2003 Board Meeting. A Motion was made by Frank Montanaro and seconded by Ellen Jordan to accept the closed minutes as written and it was unanimously

VOTED: by all Board Members present to accept the minutes as written. The meeting continued in closed session:

UNFAIR LABOR PRACTICE CHARGES:

1. Case No. ULP-5677
Warren & IBPO

After review of the informal notes, a Motion was made by Elizabeth Dolan and seconded by Ellen Jordan to dismiss the charge in accordance with RIGL 28-7-9(d). After discussion, all Board Members present voted in favor of the Motion.

2. Case No. ULP-5682
Coventry Fire District & IAFF

Frank Montanaro disqualified himself from participation in this matter.

After review of the informal notes, a Motion was made by Joseph Mulvey and seconded by John Capobianco to issue a Complaint and proceed to formal hearing. After discussion, all Board Members present voted in favor of the Motion.

3. Case No. ULP-5678
Foster & IBPO

After review of the informal notes, a Motion was made by Joseph Mulvey and seconded by John Capobianco to issue a Complaint and proceed to formal hearing. After discussion, all Board Members present voted in favor of the Motion.

4. Case No. ULP-5664
West Warwick & AFSCME

After review of the informal notes, a Motion was made by Elizabeth Dolan and seconded by John Capobianco to issue a Complaint and proceed to formal hearing. After discussion, all Board Members present voted in favor of the Motion.

5. Case No. ULP-5686
Johnston Public Schools & Laborers' District Council

After review of the informal notes, a Motion was made by Joseph Mulvey and seconded by Frank Montanaro to issue a Complaint and proceed to formal hearing. After discussion, all Board Members present voted in favor of the Motion.

CASES CONCLUDED FORMALLY:

1. Case No. ULP-5485
North Kingstown & IBPO

Elizabeth Dolan disqualified herself from participation in this matter.

This case was heard formally by Walter Lanni, Joseph Mulvey, Gerald Goldstein, Ellen Jordan, Elizabeth Dolan, Frank Montanaro, and John Capobianco.

A Motion was made by Joseph Mulvey and seconded by Frank Montanaro to hold this matter over until the next Board Meeting for further review. All participating Board Members present voted in favor of the Motion.

2. Case No. ULP-5652
D.E.M. & AFSCME

This case was heard formally by Walter Lanni, Joseph Mulvey, Gerald Goldstein, John Capobianco, and Elizabeth Dolan. Frank Montanaro and Ellen Jordan reviewed the transcript and the briefs submitted by the parties.

After review and discussion, a Motion was made by Joseph Mulvey and seconded by Frank Montanaro to uphold the charge and find that an Unfair Labor Practice had been committed. John Capobianco voted in favor of the Motion. Walter Lanni, Elizabeth Dolan and Ellen Jordan voted against the Motion. Tie vote. Staff will contact Gerald Goldstein for his vote regarding this matter.

MISCELLANEOUS MATTERS:

CA 01-4029
Corrections & RIBCO (Our Case No. ULP-5123)

Attorney Hogan advised the Board that the parties in this matter have agreed to dismiss the court case. A Motion was made by Frank Montanaro and seconded by Elizabeth Dolan to vacate the Decision and Order in this matter. All Board Members present voted in favor of the Motion.

Frank Montanaro made a Motion that the Board Meeting resume in Open Session for the purposes of reading into the Open Minutes determinations made by the Board in Closed Session. It was seconded by Elizabeth Dolan and it was unanimously

VOTED: to resume the meeting in Open Session at 10:30 a.m